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23 December 1972

MEMORANDUM FOR: Dr. Henry A. Kissinger
Assistant to the President
for National Security Affairs

SUBJECT : Notes on a Possible U.S. Game Plan

1. Musing over the matters we discussed in our 21 December telephone conversation has stimulated some thoughts that are outlined below for your consideration. These are personal views, not official ones. They get into matters far outside my (or the Agency's) official parish. Since I am currently on leave, please take them as the informal thoughts of a private citizen who would like to help the President in any way he can. These thoughts are offered in a full awareness that some of them are rough or embryonic. I also recognize that some of my suggestions may not be feasible for reasons of which I am ignorant or have not considered, some may relate to actions that are already in train, and some may have already been considered and rejected for good and sufficient reasons of which I am also unaware.

2. Desiderata. It seems to me that there are three things we need to accomplish, if possible, as soon as we can.

a. We need to get Hanoi off its wicket of stonewalling on the 20 October draft and attempting to use that draft to torpedo our relations with the GVN and thus enormously improve Communist political prospects in South Vietnam.

(1) I have given considerable thought to the concept we discussed of trying to pitch Hanoi with a purely military deal that avoids the political thicket by ignoring all political questions. I may be suffering from a lack of imagination, but

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this seems to me to be a blind alley. For one thing, Hanoi's primary interests are political, not military, hence it is hard to envisage Hanoi seriously entertaining, let alone buying, any such proposal. For another, given the Politburo's psychology it would be counterproductive for us to float any such proposal at this time. Hanoi would read it as a sign of weakness demonstrating that we are prepared to give them a politically free hand in return for our prisoners and U.S. disengagement. This, in turn, would probably serve to make the North Vietnamese even more intransigent.

(2) The Politburo has endeavored to structure a situation where the process of negotiation and settlement of itself cripples the GVN -- by poisoning our relations with Saigon -- and thus gives the Communists a clear shot at victory. Our best counter would be to outplay Hanoi at its own situational game (where we really have much greater resources) by creating a situation in which continued stonewalling on Hanoi's part becomes even more disadvantageous than the unpalatable (to Hanoi) course of engaging in serious negotiating dialogue on our terms.

b. We need to get, and keep, the GVN in tandem with us.

(1) I know full well how exasperating, intransigent and downright unreasonable Thieu can be and apparently is being. As I told you on 21 December, I have watched Thieu operate for more than a decade, rising in the process from a relatively obscure colonel to the most powerful -- and most effective -- political leader South Vietnam has ever had. I also recognize and certainly agree that, in the final analysis, U.S. interests can never become hostage to the whim

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or veto of any foreign power or foreign leader. We may eventually (or soon) have to go it alone; but if we do, Hanoi will have achieved one of its highest ambitions, that of rupturing the bond between Saigon and Washington which has long served as a major obstacle to the achievement of Hanoi's ultimate objectives.

(2) Both we and the GVN need to remember, and remind each other, how much it is in our mutual interests not to fall victims to Hanoi's Iago gambit. I am ignorant of what oral or written views were exchanged during General Haig's most recent Saigon visit and hence am ignorant of the current state of play in our dealings with Saigon. Nonetheless, I am still convinced that the only issue on which Thieu will not budge (because he is unshakably convinced that he cannot) is the juridical one of not signing or concurring in any formal agreement which has the net effect of erasing his government's legal status and claim or right to existence. To Thieu, the issue of NVA troops in South Vietnam (in their present numbers) is almost certainly less important than the issue of North Vietnam's juridical right to have such troops there. And Thieu believes that the present text of the agreement gives North Vietnam that right -- because the text does not give his own government any legal status. If we can somehow devise a way of accommodating Thieu on this issue -- without sacrificing our interests in the process -- I think he can be brought around to a reasonably cooperative posture on all the other points of current contention.

(3) As we have discussed on several occasions, Thieu has always been difficult to deal with. He is a stubborn loner who has developed stonewalling to a fine art, partly because it is a tactic congenial to his nature and partly because it is a tactic that, to date, has almost always been successful in getting him what he wants or feels he has to have. The best and

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most fruitful approach to Thieu -- and the only one I have ever known to influence his behavior -- is through his pragmatism. But anyone else's conclusions concerning his best interests are nugatory unless and until they become his conclusions. The technique that works with Thieu -- and, again, the only one I have ever seen work -- is the Socratic. In the course of non-polemic dialogue, you plant the conceptual seeds and stimulate the chain of reasoning which Thieu then follows (with non-obtrusive guidance) until he reaches its logical conclusion. Telling him, in all sincerity, what you believe he ought to do or has to do does not work -- or at least it never has worked in the past.

(4) Though the nature of his conversations with General Haig and the content of his personal reply to the President may seem to belie this, there are two considerations which greatly influence Thieu's political perception: (a) Privately, he is acutely aware of his country's need for continued U.S. support and backing. (b) He has the highest personal regard and admiration for President Nixon. Why then, one may understandably ask, is he being so intransigent and unreasonable -- if not (from our perspective) downright irrational -- in responding to our requests for cooperation, even personal requests from President Nixon? The answer, of course, is that from his perspective, Thieu does not think he is being unreasonable. Instead, he thinks we are being unreasonable. More importantly, he also thinks he has a much better, much more clear-eyed understanding of Vietnamese political reality, including Vietnamese psychology, than we do. This attitude is reinforced by a grim fixation on the fact that the adverse consequences of a settlement disastrous for non-Communist Vietnamese in South Vietnam will be borne and suffered by the latter, not by Americans living in comfort and safety an ocean away.

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(5) We see Thieu faced with a choice between a politically fatal loss of U.S. support and cooperative compliance in a course of action whose risks for him and his government -- which may be great -- can be attenuated and diminished by the continued U.S. backing and protection such compliance (alone) will make possible. Thieu, however, sees it differently. He sees himself being driven toward a choice between two extremely unpalatable alternatives: a choice between a rupture with Washington that will probably prove politically fatal and acquiescence in a settlement that is tantamount to a death warrant for any non-Communist government in South Vietnam. In his eyes, this is the choice between going down fighting even though your cause is probably hopeless and surrendering when you can see the "no quarter" flag flying. To Thieu, no matter how risky or unpalatable the former alternative may be, it is clearly the lesser evil.

(6) Our problem with Thieu is thus a problem of communication rooted in different perceptions of the Vietnam situation that produce two quite different sets of cost-benefit calculations. It would seem to me that the solution to a communication problem has to lie in an improved communications. In Thieu's case, this is most likely to be achieved by a kind of Socratic dialogue (Plato's fundamental philosophical interest, after all, was the problems of perception), a dialogue -- by Ambassadorial conversation, emissary visitation and written messages -- where ultimata, when or if they have to be conveyed, are relayed as informational data defining the givens in a problem to which two interdependent allies must somehow find a joint solution.

c. We ought to develop our own draft agreement -- with truly matching English and Vietnamese texts -- embodying what we would consider the schematic outlines of a fair and

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reasonable settlement while affording what we consider adequate protection to interests or concerns we deem essential.

(1) This is not a proposal to start from scratch with a blank piece of paper. I am instead suggesting that we take the entire record of the past several months -- including the Hanoi language we feel we can accept, the changes we have proposed or intend to propose, plus any other pertinent ideas we may have developed -- and meld them all into a clean draft with an eye to insisting that future negotiating sessions operate from our text(s). This would get us permanently off the 20 October wicket. It would also accomplish two other useful things.

(2) First, if I have learned anything in almost two decades of working in a bureaucracy it is that regardless of the subject under consideration or nature of the group convened to consider it, in any process of coordination or negotiation the person (or party) who wrote the draft from which everyone is working has a tremendous advantage. He sets the tone and terms of reference. Furthermore, the mechanics of group endeavor psychology somehow make it easier to resist changes than to insist on their incorporation.

(3) Secondly, even if the substance and much of the language is virtually identical, the GVN will be much more comfortable (and cooperative) if subsequent negotiations are based on our draft agreement, not Hanoi's.

3. A Possible Scenario. It seems to me that the above desiderata might be realized, and a negotiated settlement achieved, if we were to try a scenario roughly along the lines outlined below. Such a scenario could not be completed before Congress reconvenes on 3 January, but with a little luck it could be well launched by the President's inauguration on 20 January -- certainly producing outward manifestations of potentially useful activity and possibly some promise of productive results.

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4. This suggested scenario has two integral components: One is a set of "pressure actions" designed to alter the overall situation in ways that make a negotiated settlement we would consider acceptable look increasingly to Hanoi like the least unpalatable alternative open to the Politburo. The other is a game plan of sequential specific moves, to be played out against the continuing backdrop of the ongoing pressure actions.

5. The Backdrop of Mounting Pressure. The proposed mix of pressure actions is designed to compound Hanoi's current problems, undercut the Politburo's current position, and make continuation of the Politburo's current course of action an increasingly unattractive prospect.

6. The first component of the pressure mix would be relentless continuation of the bombing over all of North Vietnam, though perhaps with somewhat less reliance on B-52s if the requisite targets could be hit as effectively and at less cost with other types of aircraft. The objective here would be not only logistic harassment but, particularly, the exertion of political pressure by erasing everything of physical value the North Vietnamese have built -- power plants, factories, bridges, radio stations, etc. -- and implacably preventing any reconstruction. (Straight terror bombing of targets such as population centers, schools, hospitals and the like should be strictly eschewed -- on pragmatic grounds as well as moral ones.) Where feasible, this bombing would be augmented by naval gunfire; and North Vietnam's ports would of course be kept closed by mining.

7. This "ordnance" effort would be augmented by an overall campaign along the lines of the project General Haig and I developed in September.* A key ingredient would be intensified psychological warfare of all kinds (radios, leaflets, perhaps airdropping the single shot pistols described in the September proposal, etc.) targetted against the North Vietnamese population and the rank and file of both the Party and the Army. We know the Politburo is hypersensitive to any form of pressure that has a potential for threatening Party discipline or the Party's control over the Army and the North Vietnamese people. Hanoi's manifest alarm and outrage over the psychological warfare efforts we have already mounted demonstrates that to the Politburo, this is a

*See my draft "Pressure Package" inputs of 29 September and 4 October.

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very tender nerve. It is therefore a nerve we should press hard with all available resources. Serious reconsideration should be given to ploys or gambits previously ruled "off limits." For example, we know that photographs of President Nixon being feted by top Soviet and/or Chinese leaders have a devastating impact on NVA troops and Party cadre. Restrictions on the use of such photos (e.g., in leaflets) or other proscribed gambits may still be valid; but they should be subjected to careful review and not imposed by reflex fiat.

8. In South Vietnam, we should exhort the GVN to use some of that newly furnished ENHANCE PLUS hardware in offensive activity targetted against NVA units, ideally augmenting any ARVN ground action with a perceptibly increasing amount of VNAF activity to demonstrate the trends the future will hold if a reasonable settlement is not soon reached. Simultaneously, and in conjunction with other approaches to the GVN noted below, we should encourage the GVN to press forward with the kind of steps described in my 4 November checklist. What we want, of course, is a projected image of GVN activity, initiative and (ideally) progress in the military and the political arena.

9. Under this scenario, we would seek to undercut Hanoi by quiet (though, of course, separate) overtures to the Soviets and the Chinese, trying to persuade them why -- in each case -- it was in our mutual, larger interests for Moscow/Peking to, at a minimum, refrain from publicly backing Hanoi's strident insistence that there is only one Vietnam and that the 17th Parallel is not even temporarily a de facto international boundary. If at all possible, we would try to get at least one major Communist power (both would of course be ideal) to take the public position that what was accepted as de facto current political reality in Korea and Germany also ought to be accepted as de facto current political reality in Vietnam.

a. Such an approach to the Soviets ought to be facilitated by the fact that we have now at least tacitly acknowledged this -- their -- position with respect to Germany, hence they ought to be willing to acknowledge a parallel position -- ours -- with respect to Vietnam, a position they themselves sanctioned when they proposed that both Vietnams be admitted to the UN in January 1957.

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b. The Taiwan factor might complicate any such overture to Peking, but in conducting their foreign policy the Chinese Communists have never let themselves be hindered by the hobgoblin of foolish consistency. The Chinese (more than the Soviets) have certainly endorsed Kim Il-sung's "sud-politik" and might be willing to acknowledge a Vietnam parallelism in the interest of frying other fish deemed of greater importance in Peking. The Chinese might never openly admit this to us, but Peking is certainly aware that, whether Communist or not, a unified Vietnam on China's southern border could develop delusions of grandeur and get a trifle big for its britches.

10. The Sequential Game Plan. Against the backdrop of the pressure actions just described, a sequential game plan might unfold roughly as follows.

a. Within the next few days, we publicize -- and keep open -- a standing invitation to Hanoi to resume private talks whenever the North Vietnamese are ready to resume serious negotiations.

b. We prepare, as quickly as possible, our consolidated agreement draft -- with matching English and Vietnamese texts -- as described above. This draft should embody what we consider fair and acceptable proposals affording essential protection to U.S. interests (e.g., prisoner return), reasonable protection to legitimate GVN interests (including language that, at a minimum, eliminates any North Vietnamese right to send or station NVA troops in the South), and establishing a meaningful inspection/supervision system.

c. We quietly take that draft to Saigon and go over it with the GVN. We allow some give and take, being particularly receptive to GVN suggestions for modifications in the Vietnamese text to make it as close a match as possible to the tone and substantive content of the English text. Nonetheless, we stick firmly to the line -- ostensibly "advisory" and not explicitly threatening -- that with Congress reconvening and obviously restive, if the North Vietnamese show themselves willing to buy such a package, the U.S. Government will have no option but to sign it promptly.

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d. Either alone or in concert with the GVN (particularly if the latter has cooperatively concurred), we add some additional language to or make a few modifications in the agreed "minimum position" draft to facilitate horse trading with the North Vietnamese by giving us a few throw-away counters to bargain with.

e. If we and the GVN are still in tandem, a face-to-face meeting between President Nixon and President Thieu is then held in some place such as Guam or Honolulu (but at least as far West as San Clemente). This meeting produces -- and it is not held unless Thieu has previously agreed that it is going to produce -- a joint public reaffirmation of our mutual abhorrence of war and the suffering it entails and our joint determination to seek a fair negotiated settlement at the earliest possible time by all possible means.

f. We then open an all-out, all-channel effort -- some channels being public, most private, with the latter including, if possible, the Soviets and/or the Chinese -- to get Hanoi back to some forum, in Paris or elsewhere, permitting direct, top-level dialogue.


g. In that dialogue, we are personally civil but substantively tough. We take the line that we are not willing to engage in further charades and Hanoi's performance last fall has left us skeptical of any professions of North Vietnamese good will or "serious intent." The options before us both are simple: continuation of the (then) current situation for at least four more years, which is in no one's interest, or serious discussions and negotiations based on our draft.

11. Conclusion. The above game plan may be unrealistic and/or unworkable. Many of its components have been discussed before, some tried and some perhaps rejected for good reasons. In any event, essaying some such sequential plan would be less frustrating than sitting tight and leaving the initiative with Hanoi while political pressures mount on us here at home. (As explained in my 21 December memorandum on Hanoi's game and game

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plan, Hanoi's next move will have to be decided by the Politburo, which is a committee -- and committees can take a long time to make up their minds.) I offer these thoughts in the hope that they may be of some use -- even that of stimulating a rejection process that produces better ones.


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